

1 JARED F. HERLING, ESQ.
Nevada Bar No. 13350
2 **HEATON & ASSOCIATES, PLLC**
5785 Centennial Center Blvd., Ste. 240
3 Las Vegas, Nevada 89149
4 Telephone (702) 850-5000
Facsimile (702) 664-2100
5 Jared@HeatonLegal.com
Attorney for Plaintiff
6

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9 MARIA DE LA LUZ MARTINEZ,

CASE NO.: 2:18-cv-01356-JCM-PAL

10 Plaintiff,

11 vs.

12 WALGREEN CO., a foreign corporation; DOES
13 I through X, inclusive and ROE
14 CORPORATIONS XI through XX, inclusive,

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES
(FIRST REQUEST)**

15 Defendants.
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18 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**
19 **(FIRST REQUEST)**

20 IT IS HEREBY STIPULATED AND AGREED, by and between all parties and their counsel
21 of record, pursuant to LR 26-4 as follows:

22 **DISCOVERY COMPLETED**

23 Documents and witnesses have been exchanged pursuant to FRCP 26. Plaintiff has
24 propounded multiple sets of written discovery on Defendants and has received responses to the
25 same. Defendant has obtained an independent medical examination of Plaintiff.
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DISCOVERY THAT REMAINS TO BE COMPLETED

The parties are seeking to complete written discovery and have already scheduled party depositions to take place as follows:

Plaintiff – January 30, 2019

Walgreens' Shift Manager – February 11, 2019

Walgreens' Person(s) Most Knowledgeable – February 13, 2019

The parties will subsequently need to disclose experts and possibly rebuttal experts in accordance with FRCP 26. The parties also may engage in additional deposition discovery of treating providers and other witnesses that might be identified through party depositions.

**REASONS WHY DISCOVERY WAS NOT COMPLETED
WITHIN THE TIME SET BY THE DISCOVERY ORDER**

This is the first stipulation for extension of discovery deadlines. While the parties continue to work together to complete discovery, a 90-day extension is being requested in light of several factors. First, the parties worked to informally resolve their written discovery disputes through meetings and conferences that occurred between November of 2018 and January of 2019. Second, the parties entered a Stipulated Protective Order signed by Judge Leen on January 8, 2019, after which, Defendant's relevant documents were released to Plaintiff. Third, while the parties worked to schedule party depositions, Defendant's witnesses were not available until mid-February of 2019; depositions which will need to potentially be considered by experts prior to the initial expert disclosure deadline of February 27, 2019 and in order for the parties to minimize the costs of the same. Finally, this request is submitted in light of the parties' agreement to attend mediation in good faith with Judge Porter (Ret.), which the parties are in the process of scheduling. It is anticipated that the parties would not be able to mediate until March or possibly April of 2019. Having this requested extension will allow the parties to avoid the expense of disclosing experts and incurring discovery related costs, should this case be able to resolve at mediation.

CURRENT SCHEDULE FOR COMPLETING DISCOVERY

<u>Item</u>	<u>Deadline</u>
Motions to amend pleadings or add parties	1/28/19
Initial Expert Disclosures	2/27/19
Last Day to File Interim Status Report	2/27/19
Rebuttal expert disclosures	3/29/19
Discovery cut-off	4/29/19
Dispositive Motion Deadline	5/29/19
Last Day to File Joint Pretrial Order	6/28/19

PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

<u>Item</u>	<u>Deadline</u>
Motions to amend pleadings or add parties	1/28/19 (unchanged)
Initial Expert Disclosures	5/24/19
Last Day to File Interim Status Report	5/24/19
Rebuttal expert disclosures	6/24/19
Discovery cut-off	7/24/19
Dispositive Motion Deadline	8/23/19
Last Day to File Joint Pretrial Order	9/23/19

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CURRENT TRIAL DATE

Not yet assigned. Because a trial date has not yet been assigned, the requested extension of deadlines should not impact the trial date.

THE FOREGOING IS HEREBY STIPULATED AND AGREED.

Dated this 23 of January, 2019.


Dated this 23 of January, 2019.

HEATON & ASSOCIATES, PLLC

**RANALLI ZANIEL FOWLER &
MORAN, LLC**



JARED F. HERLING, ESQ.
Nevada Bar No. 13350
5785 Centennial Center Blvd., Ste. 240
Las Vegas, Nevada 89149
jared@HeatonLegal.com
Attorneys for Plaintiff



Michael Trippiedi, Esq.
2400 W. Horizon Ridge Pkwy.
Henderson, Nevada 89052
mtrippiedi@ranallilawyers.com
Attorneys for Defendant Walgreens

HEATON & ASSOCIATES
5785 Centennial Center Blvd., Ste. 240 • Las Vegas, Nevada 89149
Telephone (702) 850-5000 Facsimile (702) 664-2100

1 *Stipulation and Order to Extend Discovery Deadlines (First Request)*

2 *Martinez v. Walgreens*
3 *2:18-cv-01356-JCM-PAL*

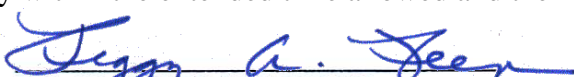
4 **ORDER**

5 Based upon the stipulation of counsel and good cause appearing;

6 IT IS HEREBY ORDERED that the deadlines in this matter shall be set as follows:

<u>Item</u>	<u>Deadline</u>
Motions to amend pleadings or add parties	1/28/19 (unchanged)
Initial Expert Disclosures	5/24/19
Last Day to File Interim Status Report	5/24/19
Rebuttal expert disclosures	6/24/19
Discovery cut-off	7/24/19
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Last Day to File Joint Pretrial Order	9/23/19

17 **IT IS FURTHER ORDERED** that no further extensions will be allowed without a
18 showing the parties could not complete discovery within the extended time allowed and the
19 exercise of due diligence.

20 
21 U.S. MAGISTRATE JUDGE

22 Dated: January 25, 2019

23 Respectfully submitted by:

24 **HEATON & ASSOCIATES, PLLC**

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26 JARED F. HERLING, ESQ.
27 Nevada Bar No. 13350
28 5785 Centennial Center Blvd., Ste. 240
Las Vegas, Nevada 89149
jared@HeatonLegal.com
Attorneys for Plaintiff

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